

a glass stopper having first and second sides, wherein said two metal pins are sealed in said glass stopper so as to project out from said first and second sides of said glass stopper;

a metal sleeve, prepared by cutting a metallic tube, surrounding said glass stopper; and

RR
Cond
Suit DI a cover piece, prepared by stamping, arranged on said first side of said glass stopper so as to surround one of said two pins in a conductive manner, said cover piece being connected in a conductive manner with said metal sleeve, wherein said cover piece is without conductive connection with the other one of said two pins, and wherein said two pins at the side of the cover piece project over a further distance than at the side of the glass stopper opposite to the cover piece.

REMARKS

Claims 1 and 2 are pending in the application. Claim 1 has been amended. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1 and 2 under 35 U.S.C 103(a) as unpatentable over the prior art Figures 3 and 4 in view of U.S. Patent No. 4,371,226 to Brancalone, hereafter Brancalone, and French Patent No. 1,364,800, hereafter France.

The Office Action relies on the prior art Figures 3 and 4 as the primary references. However, prior art Figure 4 does not teach a leadthrough having two metal pins sealed in a glass stopper. Glass stopper 3.1 seals only metal pin 1. Accordingly, it is submitted that prior art Figure 4 is not at all pertinent to the glass-metal leadthrough of claim 1, which clearly recites that the "two metal pins are sealed in said glass stopper".

The Office Action concedes that prior art Figure 3 does not have a cover piece. Prior art Figure 3 also lacks the feature that the sleeve is "prepared by cutting a metallic tube", as recited in original claim 1.

The Office Action relies on Brancalone as showing "a connector having a cover piece 20, prepared by stamping, surrounding one of pins 34 and in connecting to a metal sleeve 12. This is a stretched interpretation of Brancalone's spring array 20. Spring array 20 in Brancalone's fully assembled filter connector is embedded therein between a front insulator 14 and a rear insulator 22 and not arranged on a first side thereof. Moreover, Brancalone's spring array when fully assembled does not surround a pin 34 in a conductive manner. During assembly, ridges 82 fracture the peripheral pieces 60, and 80 from the remainder of spring array 20 so that there is no connection between any of the pins 34 and the front shell 12 (sleeve). Thus, Brancalone does not teach a cover piece that connects a conductive pin with a metal sleeve.

The Office Action also relies on France as showing "a cover piece 3' arranged on one side of glass stopper 2 and flushed with the glass stopper." It is respectively requested that the Examiner provide an English translation of France as it is impossible to verify whether element 3' is a cover piece and whether element 2 is a glass stopper. It appears that element 3' does not make any electrical contact with any of the pins 3. Accordingly, France does not teach a cover piece that provides an electrical connection between one of the pins and a metal sleeve, without a conductive connection to the other of the pins as recited in amended claim 1.

The conclusion of obviousness is erroneous because neither Brancalone nor France supplies the cover piece as recited in amended claim 1. Moreover, neither prior art Figures 3 or 4, Brancalone nor France teaches a metal sleeve that is prepared by cutting a metallic tube as recited by claim 1.

The Office Action suggestion to use the filter connector of Brancalone in combination with prior art Figures 3 and 4 and France is improperly based on the hindsight of Applicants' disclosure. Such hindsight reconstruction of the art cannot be the basis of a rejection under 35 U.S.C. 103. The prior art itself must suggest that modification or provide the reason or motivation for making such modification. In re Laskowski, 871 F.2d 115, 117, 10 USPQ 2d 1397, 1398-1399 (CAFC, 1989). "The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made." Sensonic Inc. v. Aerosonic Corp. 38 USPQ 2d 1551, 1554 (CAFC, 1996), citing Interconnect Planning Corp. v. Feil, 774 F. 2d 1132, 1138, 227 USPQ 543, 547 (CAFC, 1985).

Brancalone teaches a filter connector for a capacitor and has no disclosure of a glass stopper. Accordingly, there is no suggestion to use Brancalone in combination with prior art Figures 3 and 4 and France.

For the reasons set forth above, it is submitted that the rejection of claims 1 and 2 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

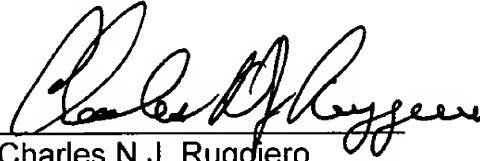
The Office Action cites a number of patents that were not applied in the rejection of the claims. These patents have been reviewed, but are believed to be inapplicable to the claims.

Attached hereto is a marked-up version of the changes made to the specification and claims by the present amendment. The attachment is captioned "Version With Markings To Show Changes Made."

It is respectfully requested for the reasons set forth above that the rejection under 35 U.S.C. 103(a) be withdrawn, that claims 1 and 2 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: October 28, 2002

A handwritten signature in black ink, appearing to read "Charles N.J. Ruggiero", written over a horizontal line.

Charles N.J. Ruggiero
Reg. No. 28,468
Attorney for Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Application, Serial No. 09/990,199

IN THE CLAIMS

Please amend the claims as follows:

1. (Amended) A glass-metal leadthrough forming a plug connector,
comprising:

two metal pins disposed parallel to one other;

a glass stopper having first and second sides, wherein said two metal pins are
sealed in said glass stopper so as to project out from said first and second sides
of said glass stopper;

a metal sleeve, prepared by cutting a metallic tube, surrounding said glass
stopper; and

^{side}
a cover piece, prepared by stamping, arranged on said first side of said glass
stopper so as to surround one of said two pins ^{by adding} in a conductive manner, said

^{add} cover piece being connected in a conductive manner with said metal sleeve, ^{to assume resistance}

wherein said cover piece is without conductive connection with the other one of
said two pins, and wherein said two pins at the side of the cover piece project
over a further distance than at the side of the glass stopper opposite to the cover
piece. ^{ground contact to said sleeve}